

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 95-1221-E - ORDER NO. 96-167
MARCH 7, 1996

IN RE: Duke Power Company and Broad River)	ORDER DELAYING
Electric Cooperative, Inc.,)	ACTION ON REQUEST
)	
Complainant,)	
)	
vs.)	
)	
Board of Public Works of the City)	
of Gaffney,)	
)	
Respondent.)	
)	
)	

This matter comes before the Public Service Commission of South Carolina (the Commission) on the February 20, 1996 request of counsel for Broad River Electric Cooperative, Inc. (Broad River) that the Commission affirm the validity of Order No. 93-271. Counsel alleges that this is a threshold question upon which the parties need guidance in preparing their argument for the April 25, 1996 hearing. Counsel for Duke Power Company (Duke) has joined in this request.

An examination of Order No. 93-271 reveals that this March 23, 1993 Order directed compliance with a Circuit Court Order of the Honorable Luke N. Brown, Jr. which, among other things, ordered the Board of the Public Works of the City of Gaffney

(Gaffney) to terminate all service from the 1985 extension of a specific electric line, to dismantle said electric facilities, and to notify all customers served by the extension of the termination of the service.

The Commission has examined this matter, and believes that the request of counsel is one which must be considered in the overall context of the presently scheduled April 25, 1996 hearing. We therefore hold that we will delay action on this request until after the April 25, 1996 hearing scheduled in this Docket.

This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director

(SEAL)